

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GREGORY NICHOLAS STESHENKO,

No. C 09-5543 RS

Plaintiff,

v.

**ORDER RE FURTHER
PROCEEDINGS**

THOMAS MCKAY, et al.,

Defendants.

In light of the Order entered by the Court of Appeals for the Ninth Circuit on October 16, 2012, plaintiff is ordered to appear for his deposition at the earliest practicable time, no later than October 31, 2012. The motions hearing and Case Management Conference presently set for November 1, 2012 is vacated. Within 10 days of the completion of plaintiff's deposition, plaintiff and the two groups of defendants may file statements, not to exceed 5 pages each, setting forth their views as to what motions will remain to be decided in this action and what further briefing, if any will be necessary. As to the issue of potential sanctions against the College Defendants for alleged spoliation of evidence, the briefing schedule set out in the order entered on September 20, 2012 remains in effect.

IT IS SO ORDERED.

Dated: 10/16/12



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE